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TEI-0135

Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kazuo IMOSE

Group Art Unit: Unassigned

Application No.: 10/551,665

Examiner: Unassigned

Filed: September 30, 2005

For: EXAMINATION APPARATUS FOR SLEEP RESPIRATORY  
DISTURBANCE AND THERAPEUTIC SYSTEM

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 or PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 or PTO/SB/08 be returned in accordance with MPEP §609.

- ☒ A copy of each listed document is being submitted to comply with the provisions of 37 CFR §§1.97 and 1.98
- ☒ excluding a copy of U.S. patent or U.S. patent application publication as waived by the U.S. Patent and Trademark Office, since this application was filed after June 30, 2003 or has entered the national stage under 35 U.S.C. § 371 after June 30, 2003 (1276 OG 55).

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

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- ☒ 1. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. **No fee is required** (37 C.F.R. §1.97(b)). The Patent Office is **NOT AUTHORIZED** to charge deposit account 18-0013 under 37 CFR §§ 1.97(c)(2) and 1.17(p). However, **ONLY IF** a first Office Action on the merits was mailed before filing of this Information Disclosure Statement, please charge deposit account 18-0013 in the amount of \$180.00 for payment of the fee under 37 CFR §§ 1.97(c)(2) and 1.17(p).
- ☒ 2. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

Respectfully submitted,

Date: March 16, 2006

  
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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/551,668
				Filing Date	September 30, 2005
				First Named Inventor	Kazuo IMOSE
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	TEI-0135

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	HANLY et al., "INCREASED MORTALITY ASSOCIATED WITH CHEYNE-STOKES RESPIRATION IN PATIENTS WITH CONGESTIVE HEART FAILURE", Sleep Laboratory, Department of Medicine, The Wellesley Hospital, University of Toronto, Canada, Am J. Respir Crit Care Med, Vol. 153. pp. 272-276, 1996	
	CB	ANDREAS et al., "IMPROVEMENT OF EXERCISE CAPACITY WITH TREATMENT OF CHEYNE-STOKES RESPIRATION IN PATIENTS WITH CONGESTIVE HEART FAILURE", 1996 by the American College of Cardiology, Published by Elsevier Science Inc., JACC Vol. 27, No. 6, May 1996: 1486-1490	
	CC	STANIFORTH et al., "EFFECT OF OXYGEN ON SLEEP QUALITY, COGNITIVE FUNCTION AND SYMPATHETIC ACTIVITY IN PATIENTS WITH CHRONIC HEART FAILURE AND CHEYNE-STOKES RESPIRATION", The European Society of Cardiology, European Heart Journal (1998) 19, 922-928	

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Examiner Signature		Date Considered	
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